

Stateline Midwest

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2015 MLC Annual Meeting Edition

THE MIDWESTERN OFFICE OF THE COUNCIL OF STATE GOVERNMENTS

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Power struggle ahead

At MLC meeting, lawmakers hear about federal carbon-cutting plan that some Midwest states are vowing to fight

by Grant Gregory (ggregory@csg.org)

With goals that have ranged from addressing climate change, to increasing energy security, to boosting economic growth, state legislatures across the Midwest have made big changes in energy policy since the dawn of the new century.

Renewable portfolio standards are now commonplace; new energy-efficiency programs and mandates have been established; and in states such as Iowa and South Dakota, wind-power generation has skyrocketed.

In nearly every Midwestern state, too, the amount of carbon dioxide emissions from electric power declined, sometimes dramatically, between 2005 and 2012 (see graph on page 5).

But the federal government wants states to do more.

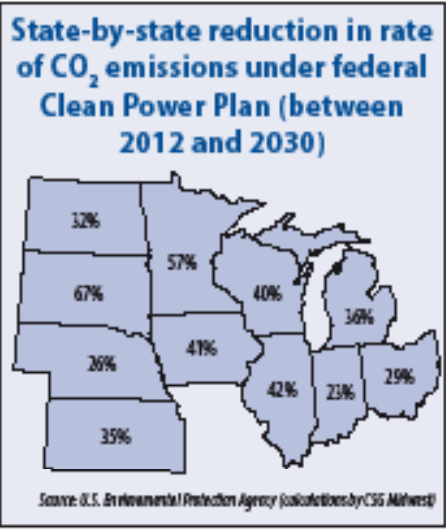
Its plan for action, known as the “Clean Power Plan,” was among the subjects covered this summer during a plenary session at the Midwestern Legislative Conference Annual Meeting.

The session was titled “The Midwest’s Energy Future,” and few policies will have a greater long-term impact than the Clean Power Plan’s goal of cutting carbon pollution from the nation’s power sector by 32 percent by 2030 (using emission levels from 2005 as the baseline).

The EPA has promised states ample flexibility in meeting this carbon-cutting goal.

The mandate, though, will require policymakers to pursue strategies that make power generation within their borders cleaner and more efficient. This could mean expanding the production of renewables and nuclear fuel, requiring plants powered by fossil fuel to be retrofitted, developing new statewide efficiency and conservation programs, or converting coal-powered plants to natural gas facilities.

“There are 50 states, there are 50 different ways to do things, and there is not a one-size-fits-all policy that we’ve



seen,” Melissa Savage said about how states might react to and comply with the U.S. Environmental Protection Agency’s plan. Savage, a senior program director at the National Association of State Energy Officials, was one of four policy experts who led the MLC session.

A second presenter, Ellen Gilmer, a reporter for EnergyWire, outlined some of the steps already being taken or considered by states — newly formed committees in Kansas and Ohio to review policy options, for example, or the

Thank you to MLC meeting participants and contributors

CSG Midwest would like to thank the legislators and contributors who took part in this year’s Midwestern Legislative Conference Annual Meeting in Bismarck, N.D.

Held over four days, the event gives legislators the chance to learn about and share innovative ideas in policymaking and state government. Planning for this year’s event was led by North Dakota Sen. Tim Flakoll, chair of the MLC, along with fellow lawmakers and legislative staff in the North Dakota Legislative Assembly.

This edition of *Stateline Midwest* highlights policy sessions and MLC committee meetings held during the conference, as well as actions taken by the region’s legislators. More information, including speaker presentations, is available at www.csgmidwest.org. Next year’s meeting will be held July 17-20 in Milwaukee.



► PLEASE TURN TO PAGE 5

Sources of Midwest’s electricity generation, by source, 2013*

State	Coal	Hydroelectric	Natural gas	Nuclear	Wind	Other
Illinois	43%	0%	3%	48%	5%	0%
Indiana	84%	0%	8%	0%	3%	3%
Iowa	59%	1%	3%	9%	28%	0%
Kansas	61%	0%	4%	15%	19%	0%
Michigan	53%	1%	12%	27%	3%	5%
Minnesota	46%	1%	12%	21%	16%	4%
Nebraska	72%	3%	1%	19%	5%	0%
North Dakota	78%	5%	0%	0%	16%	0%
Ohio	69%	0%	16%	12%	1%	2%
South Dakota	28%	40%	5%	0%	27%	0%
Wisconsin	62%	3%	12%	18%	2%	3%

* Numbers may not add up to 100 percent due to rounding

Source: U.S. Energy Information Administration

In July, the five policy committees of the Midwestern Legislative Conference held meetings on the first day of the MLC Annual Meeting in St. Paul, Minn. This month's Issue Briefs section summarizes some of the issues discussed at those committee meetings.

MLC Education Committee

With shift to 'problem-based learning,' K-12 systems can better prepare students for success

For decades, basic literacy and numeracy skills — gained through a high school education alone — were enough for many people to find and keep good-paying jobs.

But those days are largely gone, Andrew Hanson said at this July's meeting of the MLC Education Committee, and have been replaced by what he calls a "college economy."

"[It] requires skills like problem-solving, critical thinking and creativity — skills you can't teach in a day, week or a month, but have to be cultivated over the course of many years in a variety of learning contexts," Hanson, a senior analyst at the Georgetown University Center on Education and the Workforce, told the region's lawmakers.

For state policymakers and local educators, the challenge is finding ways to revamp K-12 education systems so that they better nurture these skills and thus better prepare students for college and a career.

One idea is to incorporate more problem-based learning into classrooms.

In problem-based learning, students are

grouped together and given open-ended problems to solve. For example, in a lesson about voting rights and responsibilities, a teacher might ask students how they would convince a family member not interested in politics to go to the polls. Each group of students would conduct research and develop a solution, which would then be assessed.

Problem-based learning improves recall and retention, fosters integration of knowledge, and develops lifelong learning skills, Barbara Swicord, executive director of the National Society for the Gifted and Talented, said during her presentation to the committee.

But this student-directed approach to learning also requires teachers to be trained in how to provide the right guidance, depending on the goal of the assignment (voting rights, in the example above) and the level of students.

For this shift in curriculum and instruction to take place, Swicord said, teachers aren't the only group of stakeholders that need to buy in; students and parents must as well. (This can be difficult, too, if the outcome of the student's work isn't a letter grade.)

Dan Guericke, executive director of the South Dakota Innovation Lab, who also spoke to the Education Committee, talked about how students

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North Dakota Sen. Kyle Davison



South Dakota Rep. Jacqueline Sly

have changed in response to different methods of instruction, such as problem-based learning.

"The traditional student is a passive learner; that's what we teach them to be," Guericke said.

"We put them in a classroom, we tell them what they need to know, and we give them a grade based on how well they're able to regurgitate it. With [methods like problem-based learning], the student has to be a very active participant."

Some of the best students in the traditional setting aren't able to transition well to a self-directed, 21st-century learning process, Guericke said, so it's important to introduce this type of education as early as preschool and kindergarten.

Brief written by Katelyn Tye (ktye@csg.org), CSG Midwest staff liaison to the MLC Education Committee.

MLC Agriculture & Natural Resources Committee

EPA now finalizing changes to renewable fuel standard; federal law has big impact in Midwest

When it comes to the future of the federal government's renewable fuel standard, no region has more at stake than the 11-state Midwest: More than 90 percent of the ethanol produced in the United States comes from the region's 177 plants.

At this year's meeting of the MLC Agriculture and Natural Resources Committee, lawmakers heard from two policy experts with different perspectives on the federal RFS and its impact.

Adopted by the U.S. Congress in 2005, the law requires oil companies to blend increasing volumes of renewable fuels into gasoline and diesel — from 9 billion gallons in 2008 to 36 billion gallons by 2022.

According to John Fuher, director of government affairs at Growth Energy (which represents ethanol producers and supporters), the RFS has laid the foundation for the production of 14.3 billion gallons of ethanol, which supports 83,949 direct jobs nationwide (many in the Midwest).

In the counties where ethanol biorefineries have been built, Fuher added, these facilities have

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North Dakota Sen. Don Schaible



Iowa Sen. Mary Jo Wilhelm

been responsible for nearly one-third of local employment growth.

While biofuels can play a role in the path to greater U.S. energy independence, Dave Juday of the Juday Group (which provides services to commodity-based industries) told the committee, increased oil production must still lead the way.

And opponents of the RFS argue that the federal mandate is squeezing out U.S.-produced crude oil and gasoline. (Ethanol now replaces more than 10 percent of petroleum gasoline sales.)

Another concern is the law's impact on corn and soybean prices, which have hit record levels and had negative effects on the livestock and food industries. (In 2008, when a global drought hit,

the combination of increased export demands and greater biofuel use caused corn prices to soar.)

Even though the U.S. Congress has set statutory levels for the RFS, the U.S. Environmental Protection Agency annually sets the volume of renewable fuel to be blended into the nation's transportation fuel.

As a result of political opposition to the statutory standards, the EPA's extended review of the 2014 standards was delayed, and in May 2015 the EPA released the proposed amount of renewable fuel required to be used retroactively for 2014, as well as for 2015 and 2016.

These numbers will be finalized by November, but the EPA's proposed amounts of renewable fuel for each year is less than the statutory requirement. For example, the requirement for cellulosic biofuel (ethanol) was 1.75 billion, 3 billion and 4.25 billion gallons for 2014, 2015 and 2016, respectively, while the EPA's proposal is 33 million, 1.06 billion and 2.06 billion for the same years.

Fuher contends that the EPA does not have the legal authority to roll back these statutory levels. But Juday told the MLC committee that the federal agency had to adjust to changes in fuel demand and domestic petroleum supply that have occurred since the law was written.

Brief written by Carolyn Orr (corr@sarl.us), CSG Midwest staff liaison to the MLC Agriculture and Natural Resources Committee.

MLC Economic Development Committee

States seek ways to ease current shortage of 'middle skill' workers

According to the National Skills Coalition, 54 percent of the nation's jobs don't require a college degree, but do necessitate educational attainment above and beyond a high school diploma.

Right now, only 44 percent of workers have the necessary training and education to fill these "middle skill" jobs. How can states close this gap, and help businesses get the workers they need while giving individuals a path to a brighter economic future (a middle-skill job pays 77 percent more than a low-skill job)?

At this July's MLC Economic Development Committee meeting, a group of experts joined the region's legislators in exploring policy strategies for states to pursue. The committee also learned about some promising programs already being tried.

North Dakota, for example, is offering "workforce enhancement" grants to schools that, with support and input from the private sector, provide training in fields with worker shortages. The state is also expanding teacher externships, which expose educators to practical business experiences that they can bring back to their students.

In Minnesota and Indiana, the two states are employing more "demand-focused, collaborative approaches" to workforce development: facilitating partnerships among employers, educators and community leaders to address the skill needs of key industries in specific regions.

Joining the committee discussion, too, were two business representatives familiar with the

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Michigan Sen.
Ken Horn



Nebraska Sen.
Heath Mello

challenges of finding workers with the education, training and knowledge to fill middle-skill jobs.

Ron Ness, president of the North Dakota Petroleum Council, said efforts to fix the skills gap must go beyond simply the availability of training in manufacturing, construction, plumbing and the trades. There must also be a shift in attitudes, he said, so that there is a greater appreciation of the value of these career paths and the work they entail. For example, perhaps there should be less emphasis on pushing students to earn four-year degrees, and more focus on building technical skills and expertise, via two-year colleges and other forms of training.

"Businesses need workers with technical training," added Andy Peterson, president and CEO of the Greater North Dakota Chamber of Commerce.

Ness also urged that more emphasis be placed on math, science and computer skills, which provide the foundation for success in many "middle skill" jobs.

Brief written by Laura Tomaka (ltomaka@csg.org), CSG Midwest staff liaison to the MLC Economic Development Committee.

MLC Health & Human Services Committee

In Indiana, a lesson for all states on how, why HIV can spread

On Feb. 25, Maureen Hayden was sitting in her office in the basement of the Indiana Statehouse in Indianapolis when a press release came in that made her think twice.

"[It came] from the state Health Department notifying us that in this small, rural Scott County in southeastern Indiana, there are now 26 confirmed cases of HIV," Hayden, Statehouse bureau chief for Community Newspaper Holdings Inc., said during a July session of the Midwestern Legislative Conference Health and Human Services Committee.

At first, not much attention was paid to the news. But less than a month later, the number of confirmed HIV cases in this small county was up to 55. By March 27, it had risen to 79 — and the disease outbreak had become a national story.

The cases were linked to shared needles used for injecting heroin.

"Before this HIV epidemic was noticed, you could walk down the sidewalk and literally see a dirty needle, a used needle, on the sidewalk, in the middle of town," Hayden told the committee. "It was blatant. It was not drug use that was happening behind closed doors."

The legislative response in Indiana was to pass a bill allowing for syringe-exchange programs, which allow drug users to trade in dirty needles for clean ones.

SB 461 allows a local health officer to declare an

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Kansas Rep. Susan
Concannon



Illinois Rep.
Robyn Gabel

epidemic of either HIV or hepatitis C. Next, a hearing is held by the local county commission or city council. That body then votes on whether to petition the state health commissioner, who can declare a public health emergency and sanction a local syringe-exchange program for up to a year.

"There's a fundamental struggle in this issue over anti-drug policy versus harm-reduction policy," Indiana Rep. Ed Clere told the committee about this year's legislative debate over SB 461. But he also noted that there are cases in which well-implemented exchange programs "lead to a reduction in drug use, because it increases contacts among drug users and public health workers and treatment resources."

In the Midwest, only three other states — Illinois, Minnesota and Wisconsin — have limited or removed barriers to syringe distribution, according to the Robert Wood Johnson Foundation.

Brief written by Jennifer Ginn (jginn@csg.org), CSG associate editor.

MLC Midwest-Canada Relations Committee

Legislators look to expand cross-border partnership on energy

The United States and Canada boast the largest binational energy-trading relationship in the world, but some of the region's legislators want to find ways to expand it even more.

More binational cooperation, they say, will increase the two countries' energy independence.

At a July meeting of the MLC's Midwest-Canada Relations Committee, this binational group of state and provincial lawmakers established a new subcommittee to explore cross-border energy policies. They also heard from energy experts whose presentations underscored just how energy-interdependent the two countries already are. For example,

- The countries have a highly integrated electricity system whose grid interconnects more than 30 times and allows for the pooling of energy resources. This allows the countries to share reserves and prevent cascading outages.

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Indiana Sen. Ed
Charbonneau



Saskatchewan MLA
Wayne Elhard

- In 2014, Canada exported more than 58 terrawatt hours of electricity to the northern United States. Other than Kansas, every state in the Midwest receives electricity produced in Canada (most of it is hydroelectric power).

- The United States receives 37 percent of its imported oil from Canada.

- Much of the refining capacity for "heavy oil" from Canada's oil sands is located in the American Midwest.

By forming a new MLC energy subcommittee, legislators hope to build on what they learned at the July meeting. Starting this fall, the panel will explore options for producing lower-carbon electricity from coal (Saskatchewan, for example, recently opened the world's first commercial-scale coal plant with carbon capture and storage capabilities) as well as state and provincial strategies to streamline the approval process for new cross-border transmission lines.

Members of the new subcommittee will also seek to play a role in ongoing discussions between the energy ministers and secretaries from the United States, Canada and Mexico. These federal officials have been meeting to develop common strategies in such areas as efficiency, infrastructure and responsible resource development.

The Midwest-Canada Relations committee also passed a resolution at its July meeting that was later adopted by the full MLC. It calls for a more transparent, standardized approach to approving cross-border infrastructure projects. The resolution also cites the need to upgrade the electricity grid and improve its reliability.

Brief written by Ilene Grossman (igrossman@csg.org), CSG Midwest staff liaison to the MLC Midwest-Canada Relations Committee.

Region’s legislators OK 8 policy resolutions at MLC Annual Meeting

The Midwestern Legislative Conference has adopted a series of policy resolutions that focus mostly on energy and agriculture. Passed at the group’s July meeting in North Dakota, the resolutions are available in full at www.csgmidwest.org. Here is a summary.

• **Support energy infrastructure in U.S. and Canada** — Sponsored by the MLC’s Midwest-Canada Relations Committee, this resolution cites the need for increasing oil pipeline capacity, upgrading the electricity grid, and improving the approval process for energy infrastructure projects.

• **Keep air quality standards the same** — The U.S. Environmental Protection Agency is finalizing a rule that would raise air-quality standards for ground-level ozone. This resolution, sponsored by the MLC Agriculture & Natural Resources Committee, seeks to keep the current standards in place; it cites concerns about the costs associated with a more stringent standard.

• **Preserve federalism** — Proposed by North Dakota Rep. Kim Koppelman, this resolution urges state and federal officials to “protect the appropriate balance of powers” between states and the federal government.

• **Fund disease research** — This resolution urges all levels of government “to be more aggressive” in areas such as animal and plant disease research and biosecurity containment. Sponsored by the MLC Agriculture & Natural Resources Committee, the resolution reflects concerns over devastating incidents such as this year’s spread of highly pathogenic avian influenza.

• **Base policy on science** — Sponsored by the MLC Agriculture & Natural Resources Committee, this resolution calls for “peer-reviewed, sound scientific data” to serve as the basis for regulatory and legislative decisions affecting agriculture.

• **Fix Highway Trust Fund** — This resolution calls for action on the Federal Highway Trust Fund, namely a long-term congressional fix that “maintains, and preferably exceeds,” current levels of funding. The resolution was sponsored by the MLC Economic Development Committee.

• **Investigate fundraising by HSUS** — Sponsored by the MLC Agriculture & Natural Resources Committee, this resolution encourages attorneys general to investigate the fundraising activities of the Humane Society of the United States.

• **Support Taiwan** — In a resolution sponsored by North Dakota Rep. Kim Koppelman and North Dakota Sen. Rich Wardner, the MLC recognized the value of the Taiwan-U.S. relationship and supported Taiwan’s involvement in international organizations.

The MLC’s 3-step resolutions process

✓ **Step 1** ~ Resolution sponsored by a state legislator, a group of legislators or an MLC committee.

✓ **Step 2** ~ Resolution considered by MLC Resolutions Committee, a bipartisan group of Midwest’s legislators. Wisconsin Rep. Joan Ballweg is this year’s chair of the committee.



Wisconsin Rep. Joan Ballweg

✓ **Step 3** ~ Resolution voted on by MLC (members in attendance at group’s Annual Meeting).

Mix of state strategies can help students avoid the ‘senior slide’

A rigorous senior year of high school not only helps students make the transition to postsecondary school, it can also shorten their time to college graduation, reduce their debt, and get them into the workforce more quickly.

Unfortunately, states are finding that many of their high school seniors instead opt for a light class load their senior year.

North Dakota Sen. Tim Flakoll, chair of the Midwestern Legislative Conference, wants this to change.

“I don’t want [high school students] to have a nice, easy senior year,” Flakoll said during a session held in July at the MLC Annual Meeting. “Nice, easy senior years translate to remediation that costs them, their parents, their families and taxpayers a lot of money.”

To avoid the “senior slide,” North Dakota’s Department of Public Instruction has implemented a two-pronged approach, known as “Leveraging the Senior Year,” to make sure all students grow academically in their final year of high school.

First, for students identified in their junior years as needing remedial math and English instruction, extra help is provided through the MyFoundations Lab program.

Offered either virtually or on-site at all high schools, the program gives high school seniors the chance to earn high school math and English credits and to be more prepared for their first year of college. (The Department of Public Instruction is working with the state’s university system in the hopes that it will accept a completed MyFoundations Lab program as proof that remediation is unnecessary.)

Secondly, North Dakota’s “Leveraging the Senior Year” is expanding opportunities for the state’s college- and career-ready seniors to take Advanced Placement and dual-enrollment courses.

North Dakota students who take AP exams do well when compared to their peers across the country. With a pass rate of 68.8 percent among juniors and seniors, North Dakota ranks fifth in the nation and first in the Midwest.

But for the 2013-14 school year, the state ranked last in AP courses taken per 1,000 high school juniors and seniors.

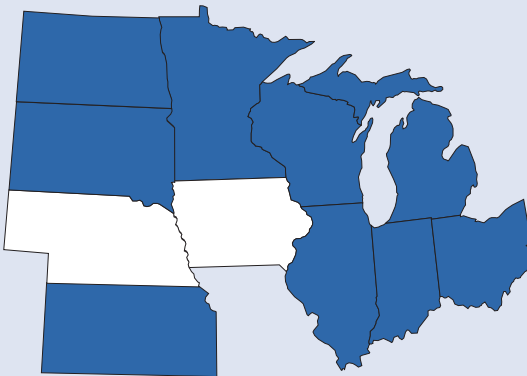
“I do not want to see 51st in anything, especially education,” North Dakota Superintendent of Public Instruction Kirsten Baesler said in a presentation during the MLC session. “This was a call to action.”

So, too, was this statistic: Forty percent of first-year students in North Dakota’s university system require remedial coursework in math, English or both.

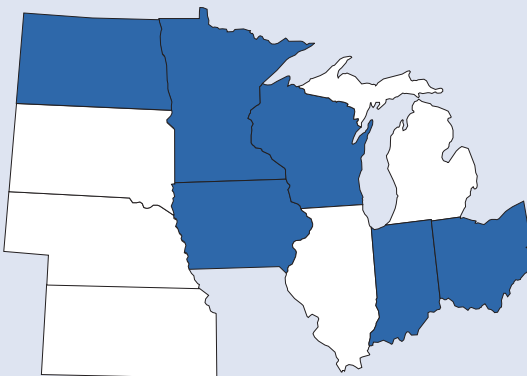
This year, North Dakota legislators appropriated funds to expand AP class opportunities, cover the cost of AP exam fees, and support programs that will reduce the need for college remediation.

During the MLC meeting, Jeremy Anderson, president of the Education Commission of the

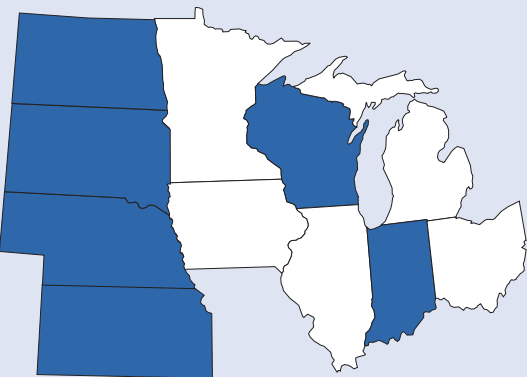
Review of state policies on college, career readiness (as of September 2014)



State has adopted a system of college- and career-ready assessments



High schools must provide AP/dual-enrollment courses



Statewide course requirements for high school graduation align with admission requirements for public four-year colleges and universities

Source: Education Commission of the States

States, briefed lawmakers on the various state policies that can help prepare students for their post-secondary careers (see maps above for three examples).

But he also said additional state funding and laws are not enough.

“The policies we’re thinking about can’t be implemented if we’re not communicating at the level of the students,” Anderson said. “We need to help students identify what opportunities are available to them so they’re not waiting until they get their high school degree to think about what they’re going to do next.”

Article written by Katelyn Tye, who can be reached at ktye@csg.org. Throughout the year, a series of articles is appearing in *Stateline Midwest* about policies and proposals that prepare soon-to-be high school graduates for college and careers. North Dakota Sen. Tim Flakoll, Midwestern Legislative Conference chair, has chosen this topic as his MLC chair’s initiative.

Six Midwestern states already supported early lawsuit opposing EPA’s Clean Power Plan

creation of cap-and-trade emissions programs, either within a state or among multiple states.

Gilmer added that some states such as Indiana have warned that they may instead take a “just-say-no approach”: choosing not to comply with the federal rule.

In a June letter to President Obama, Indiana Gov. Mike Pence called the proposed Clean Power Plan “a vast overreach of federal power that exceeds the EPA’s proper legal authority” and that “fails to strike the proper balance between the health of the environment and the health of the economy.”

The letter is indicative of the struggle ahead between the Obama administration and some states over the plan’s merits, feasibility and legality.

Even before the EPA’s Clean Power Plan was finalized, a group of U.S. states — including Indiana, Kansas, Nebraska, Ohio, South Dakota and Wisconsin in the Midwest — had filed a federal lawsuit against it.

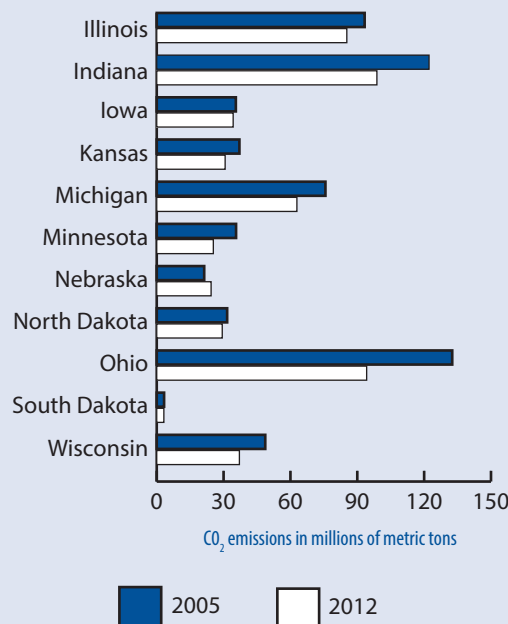
A federal court dismissed the case on the grounds that the EPA rule was merely a proposal and had not yet been finalized. Future lawsuits, though, are a near-certainty.

‘Enforceable’ plans to cut CO₂ emissions

The MLC session took place only weeks before the EPA was scheduled to release a final version of the Clean Power Plan. (The final rule was released in early August.)

Under the finalized plan, every state will submit a plan that includes interim goals as well as “enforceable CO₂ emission limits.” For states that do not provide a comprehensive, enforceable plan, the EPA will develop one for them.

In most Midwestern states, total CO₂ emissions from electric power dropped between 2005 and 2012



Source: U.S. Energy Information Administration

The plan’s mandatory cuts in carbon pollution vary from state to state, sometimes widely (see page 1 map) — for example, a 23 percent reduction in Indiana by 2030 vs. 67 percent in South Dakota.

These varying figures are based on what the EPA has determined to be the state’s ability to make the transition to cleaner, alternative fuels. And because the EPA uses 2005 emission levels as a baseline, some states may already be well on their way to meeting the new federal standards.

Once fully implemented, though, the plan will require many states to be less reliant on



Adam Sieminski, head of the U.S. Energy Information Administration, talks about the future of energy prices and supplies at the July meeting of the Midwestern Legislative Conference. He was one of several experts who spoke to the region’s legislators in July during a plenary session titled “The Midwest’s Energy Future.”

coal. Energy analysts have predicted that the Clean Power Plan will result in the conversion of coal-burning power plants into natural gas facilities, along with more investments in renewable electricity, nuclear power, carbon sequestration, coal gasification, energy efficiency and the smart-grid infrastructure.

But will the plan prove to be too costly and do economic harm? Does it amount to “a federal overreach”?

Some state policymakers say “yes,” and appear ready to fight the EPA over the new carbon-cutting rules. ★

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SPECIAL THANKS TO THE STATE OF NORTH DAKOTA FOR ITS SUPPORT OF THE 70TH ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE

In speech to legislators, Slaughter calls for new ‘infrastructure of care’

Anne-Marie Slaughter thinks it’s time for America to reconsider the value of care. Her keynote speech at this July’s Midwestern Legislative Conference Annual Meeting covered a wide range of forward-looking policy ideas and topics. But it also looked back at some of the major societal changes that have occurred since her childhood in the late 1950s.

“Now little girls are being raised to be told they can be anything they want,” she said to MLC attendees. “That was important. We have unlocked the potential of half of the human race as a result.

“But along the way, we lost sight of the value of the work our mothers did. Our mothers’ work was every bit as important as our fathers’ work. It was the work of care.”

That “work of care,” she said, is one of the great forces of nature — with the other being self-interest and competition.

“We are not going to finish the women’s movement, or more importantly, we are not going to get the kind of society we need to have unless we rediscover the value of care — the value of care when women do it and the value of care when men do it,” she said.

“We need to recognize that all of us have a competitive and a caring side, and they should be equally valued.”

Policy makers widely recognize the need for governments to create an infrastructure of roads, ports and trains for business. Less common, she said, is the notion of building an “infrastructure of care.”

“[It’s] early education, it’s pre-K through 12, it’s colleges, it’s lifelong learning,” she said. “But it also means mental health. It means providing the infrastructure that can care for people mentally as well as physically.”

“And finally, it means elder care, and it means understanding that elder care is not just about changing beds and lifting people in and out of wheelchairs. It is about care that understands what you can still do and what you can’t still do, what you are still capable of, how to maximize who you are, and what you can do toward the end of your life.”

It’s time, too, Slaughter said, for federal and state policy leaders to rethink how we care for people at the end of their life. Right now, 80 percent of the nation’s health care costs are spent on 20 percent of the population, generally those people at the end of life.

“If we want to rethink, deeply, health care for the living,” she said, “we have to change the way we think about dying.”

According to Slaughter, the process of dying itself has changed from a social event to a medical event over the past 100 years.

“If we can think differently about dying, we will find that that 80 percent of health care costs could be spent very differently in giving people time at the end of their lives to have what is most important for them — which is not necessarily simply a longer life,” she said.

Her wide-ranging speech also touched on many other emerging policy issues for state legislators to consider.



Anne-Marie Slaughter, president and CEO of the New America Foundation, delivers the keynote address at this year’s Midwestern Legislative Conference Annual Meeting.

“We are not going to get the kind of society we need to have unless we rediscover the value of care.”

Anne-Marie Slaughter

For example, she envisions a shift in how people learn and are prepared for work. In the future, she said, the focus will be less on the number of credit hours earned at a traditional higher-education institution.

Slaughter encouraged lawmakers to consider policies that nurture individualized, lifelong learning and that embrace new ways for individuals to earn credentials (in the workplace, through self-teaching or via online courses).

Article written by Jennifer Ginn, CSG associate editor.

Pattison: Start addressing your states’ long-term fiscal challenges now

For five straight years, state revenues and budget spending have grown, but for most legislatures, the current fiscal climate remains a challenge.

“To be totally out of the recession and the recessionary effects that most states felt, you have to have 3-percent-plus [GDP] growth,” Scott Pattison, executive director of the National Association of State Budget Officers, said to a group of the Midwest’s fiscal leaders this July.

“Until we get there, we’re still going to be in a very difficult situation.”

At least for the foreseeable future, economic growth is not expected to hit that 3 percent mark. For 2015 and 2016, a GDP increase of between 2.3 and 2.7 percent is more likely.

Meanwhile, over the longer term, state legislatures will have to tackle other fiscal matters: Medicaid costs estimated to exceed increases in state revenue, the loss of federal funds in areas other than health care, long-term pension and other liabilities, aging populations and infrastructure needs.

It might not be the best of times, Pattison said at the Midwestern Legislative Conference Annual Meeting, but it is time for policymakers to shore up their states’ fiscal futures.

“You can make decisions on financial management now that will positively affect citizens 10, 20, 30 years-plus,” he said. “We’re not in such a dire situation that pension obligations and other worrisome issues can’t be dealt with.”

He suggested, for example, that budget leaders review their end-of-year balances and rainy day funds, and consider increasing how much money is in them.

“A lot of states right now do not have enough money in the bank to weather the next recession,” Pattison said.

He wonders, too, if states are adequately prepared for coming changes in the state-federal fiscal partnership. Between 2008 and 2014, as a percentage of total state expenditures, federal funding has jumped from 26 percent to 30 percent. (State general-fund spending, meanwhile, fell from 46 percent to 41 percent over that same time period.)

But that increase disguises what Pattison believes to be an almost inevitable trend for the years ahead: With the exception of Medicaid, federal funding to states will either decline or, at best, be flat.

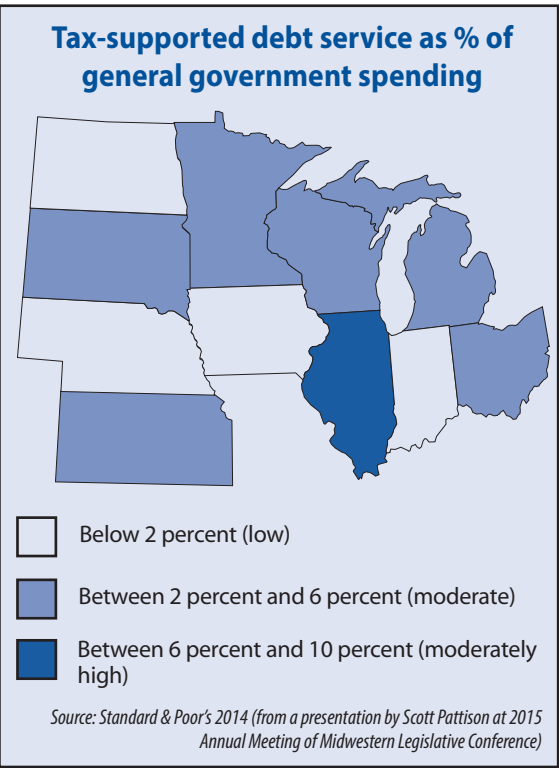
That means legislatures and state agencies need to do a better job of preparing for declines in federal assistance, he said.

For the time being, most states are in sound financial health: Budgets are growing (though at rates less than the historical year-to-year increases of 5.5 percent), and in the Midwest, every state except Illinois has debt service levels that are considered “low” or “moderate” (see map).

There is at least one structural imbalance, though, that should worry state policymakers. Between now and 2020, estimates show that Medicaid spending will increase annually by an average of 7 percent — a rate much higher than average yearly tax growth for states.

When he served as budget director for the state of Virginia, Pattison recalls being alarmed at Medicaid eating up 8 or 9 percent of the general-fund budget. Today, it accounts for nearly 20 percent of spending in general funds. Over the past nine years, close to half of the growth in state expenditures has gone to Medicaid.

Article written by Tim Anderson, publications manager for CSG Midwest. He can be reached at tanderson@csrg.org.



Use of body cameras by police has big policy implications for states

As interest in the use of police body cameras has risen this year in state capitols across the country, so too has an understanding of the potential obstacles and concerns — from the costs and policy implications associated with storing all of the cameras’ data, to the impact on the privacy of citizens.

But in July, a former police chief urged the region’s state lawmakers not to lose sight of the benefits.

“We are at a point where we need body cameras in policing now”, said Jim Bueermann, president of the nonprofit, nonpartisan Police Foundation, during a presentation that kicked off a roundtable discussion among lawmakers at the Midwestern Legislative Conference Annual Meeting.

Research on the impact of body cameras on police-civilian encounters is limited, but encouraging. In the California town of Rialto, a yearlong study found that body cameras decreased police use of force by up to 59 percent while reducing complaints against officers by 87.5 percent.

In advocating for a new federal investment in the technology, President Barack Obama cited evidence that not only do police body cameras strengthen accountability and transparency, but also that officers and civilians act in a more positive manner when a camera is present. In December, he called for \$263 million in funding for body cameras and training. Under the proposal, a total of \$75 million would be provided over a three-year period to help state and local law enforcement purchase 50,000 body-worn cameras.

At the state level, proposals have been introduced in legislatures across the Midwest. In Minnesota, much of the discussion focused on limiting public access to camera footage. In Iowa, Kansas and Michigan, varying proposals would require law enforcement to wear body cameras.

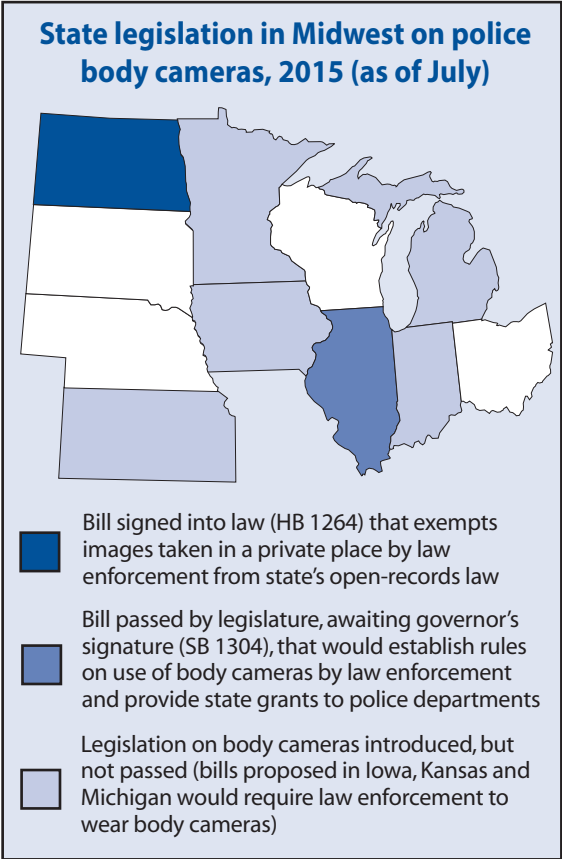
But as of July, body camera-related legislation has only been signed into law in one Midwestern state. North Dakota’s HB 1264 exempts any images taken in a private place by law enforcement from the state’s open-records law.

Illinois’ SB 1304, meanwhile, was awaiting action by Gov. Bruce Rauner. If signed into law, the measure would establish statewide rules for police departments that employ police body cameras. The bill specifies that the cameras be turned on by officers while interacting with civilians during calls for service. The cameras would be turned off upon the request of a victim or a witness.

Also under the bill, a state grant program would help departments pay for the cameras as well as officer training. Illinois has already had a grant program in place to help deploy cameras on the dashboards of police vehicles.

Of all the obstacles standing in the way of a wider use of police body cameras, the cost of data storage may be the biggest.

Currently, some private sector firms provide services at a cost of \$100 per camera, per month (this includes the hardware as well as data storage). For police departments to handle the storage of data themselves, they would need the equivalent of multiple petabytes, a scale that is difficult to maintain as well as exceptionally expensive.



To help drive down costs, Bueermann said, states could help police departments use their combined purchasing power to negotiate more reasonable costs.

Similarly, he suggested that states turn to their university systems in helping advance body-camera technology and develop independently run database systems.

Article written by Grant Gregory, a CSG Midwest intern. He can be reached at ggregory@csq.org.

Reforms to juvenile justice must extend well beyond the courts

With mounting research and evidence to back their legislative reforms, states across the country have moved away from a “tough on crime” approach toward juvenile offenders in favor of systems that focus more on community-based rehabilitation and collaboration.

But that transition is far from complete, lawmakers learned during a policy roundtable discussion at this summer’s Midwestern Legislative Conference Annual Meeting.

“The juvenile justice system alone can’t solve the problems,” said Jeanne Brandner, deputy administrator of Nebraska’s Office of Probation Administration, who helped facilitate the discussion. “We have to engage families, we have to look at community-service providers. We have to look at all of the stakeholders involved.”

Among those stakeholders are teachers and local school administrators, whose discipline policies have a lasting effect on young people.

“There is a really strong connection between kids getting suspended and expelled, and then being involved in the juvenile justice system,” noted Carl Reynolds, a senior legal and policy adviser at The Council of State Governments Justice Center.

He added that this connection is not as simple as bad kids getting in trouble in school and then in the community.

“If you hold everything else constant, the discipline itself seemed to be the one thing that raised the odds, by a factor of two or three,” he said.

“Sometimes it’s just too easy for the schools to say, ‘Get this kid out of here,’ ” added South Dakota Sen. Craig Tieszen. “When you take kids out of the school and out of their routine, there are consequences to that. It’s a very delicate balance for the schools.”

His state, meanwhile, is just beginning to implement reforms that seek to rebalance its entire approach to juveniles.

With this year’s passage of SB 73, South Dakota will be committing fewer young people to detention facilities and diverting more of them to community-based programs. The state will provide new financial incentives (\$250 per child) to counties for these diversion programs.

By 2020, the number of youths in South Dakota’s residential facilities is expected to drop by 50 percent and the number of juveniles on probation to fall by nearly 30 percent.

“Some services have not been available in rural areas, so we had kids being put in Department of Corrections [facilities] because it was the only place with treatment and other services that were available,” Tieszen said during the roundtable discussion.

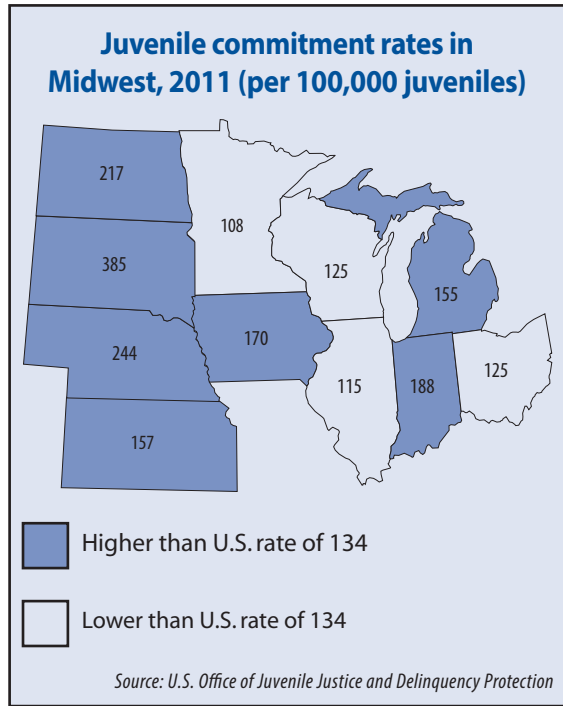
“We’re now putting some money and emphasis into providing those services in the community, reducing our incarceration times, and making sure we’re using evidence-based practices in our treatment programs.” These community-based alternatives will provide the type of support that can lead to better long-term outcomes for young people — for example, addressing substance abuse, behavioral issues or family problems.

The changes in South Dakota are part of a larger national trend: Over the past decade and a half, the juvenile-commitment rate has fallen by nearly 50 percent. Part of that decline is due to a drop in the number of violent crimes being committed by juveniles, but a shift in public policy has contributed as well.

States are focusing less on incarceration because that approach has not proven to work. Now, they are looking to keep more young people at home, in their schools and in their communities.

“Do they need to have a consequence for their behavior? Absolutely,” Brandner said. “Does it mean they have to spend years in the justice system or become wards of the state? Not necessarily.”

Article written by Tim Anderson, publications manager for CSG Midwest. He can be reached at tanderson@csq.org.



Wisconsin Rep. Joan Ballweg

Lawmaker reflects on public service, looks forward to welcoming Midwest’s legislators to Milwaukee for next year’s MLC meeting

by Laura Kliever (lkiever@csg.org)

As a young woman headed to college, Joan Ballweg thought she had a pretty good idea of her life ahead: Get an education degree, return home to the Milwaukee suburbs where she was raised, and embark on a career in teaching. But she soon learned what has proven to be a lifelong lesson: Be ready to move in entirely new directions — and embrace the opportunities that come with them. For Ballweg, that has meant moving from the suburbs to a rural part of Wisconsin, owning her own business rather than pursuing a career in education, and enjoying a successful run as a local and state political leader. She is now serving her 11th year in the Wisconsin State Assembly and will soon take on a new leadership role, as chair of the nonpartisan, binational Midwestern Legislative Conference. (CSG Midwest provides staffing services to the MLC.)

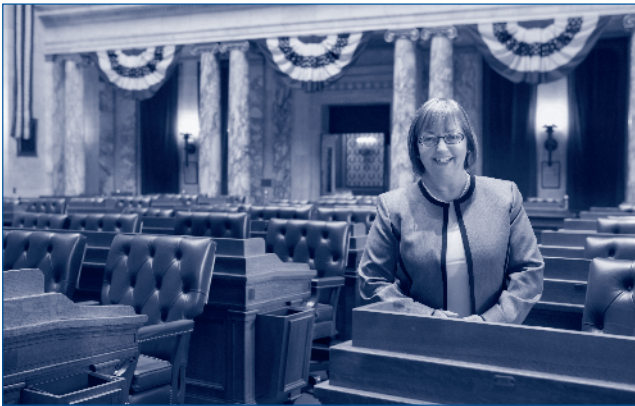
Her legislative service comes after years of being both a business and civic leader in south-central Wisconsin. She first moved to the area after meeting a special someone in college: her future husband, Tom, who was raised in rural Wisconsin. “We ended up buying the John Deere dealership out in the country,” Ballweg explains, “which we’ve now had for 40 years come December.” That experience, in turn, led to participation in the local Chamber of Commerce and a growing interest in helping revitalize the area. “Several of us saw that in order to continue this process [of revitalization], we needed to get involved in local government,” she says.

Business to government leadership

Ballweg won a seat on the Markesan City Council, and four years later, she successfully ran for mayor. She decided to leave local elected politics in 1997 because of her growing family and business. But a few years later, the Wisconsin Assembly seat opened up. Her husband encouraged her to run. “I told him no,” Ballweg says, “so then he called a couple of my friends from the City Council. One volunteered to be my campaign manager, and the other volunteered to be my treasurer. “I then spent about three months making contact with a lot of the folks that I had gotten to know as mayor, going down to the state Capitol to observe committee meetings and the legislature. And after about three months, I decided, ‘Yeah, I’ll give it a try.’” She ended up in a nine-way Republican primary (the largest primary in state history) and won her 2004 race. Ballweg has been a member of the state Assembly ever since. In a recent interview with CSG Midwest, Rep. Ballweg reflected on her legislative career to date and looked ahead to her new leadership role as MLC chair.

Bio-sketch of Wisconsin Representative Joan Ballweg

- ✓ first elected to Wisconsin Assembly in 2004 and current co-chair of the Joint Legislative Council and the Joint Committee for Review of Administrative Rules
- ✓ served as mayor of Markesan, Wis., for six years
- ✓ co-owner of farm equipment business with husband, Tom
- ✓ graduate of Midwestern Legislative Conference’s (MLC) Bowhay Institute for Legislative Leadership Development and will serve as MLC chair in 2016



Q: How has your experience as a business owner impacted your approach to work in the legislature?

A: As business owners, we’ve always bought into the idea of strategic planning, and then having our employees understand and buy into the decisions that we make in the business — to see that they are real partners. I try to do that with my legislative staff and with the committees that I work on: Get people to see the end goal as positive, not just someone’s idea.

Q: How have your legislative priorities changed and expanded over the years?

A: What I’ve learned over the years is that sometimes different things happen that get you to move in other directions.

My first real commitment had to do with emergency preparedness, because in my first term, folks were very worried about avian influenza. The speaker of the Assembly at the time had a task force looking into what we could do, and I volunteered for that task force. Coming from a rural area, this is something that could affect our economic viability. The person who was chair of the task force suggested that I lead the Legislative Council study committee that following summer, which I did. I am now, for the third term, co-chair of the Legislative Council, which means I get to pick the topics and the members of the Legislative Council study committees. I have now served as chair or vice chair of one of these study committees every term since I’ve been in. I just love doing that as part of the process. Lately now, this has turned into an emphasis on early-childhood development. I’ve led a study committee on trying to better understand trauma-informed care and ACEs, or adverse childhood experiences. So I have been working on that, and I have now been appointed to the Child Abuse and Neglect Prevention Board.

Q: How did you become interested in the state policy issues surrounding early-childhood development?

A: I was asked to be on First Lady Tonette Walker’s “Fostering Futures” Policy Advisory Council. By being a member of that council, and going through the process of studying the issue, you better understand what children are going through — from the time they are born, there are actual biological changes that happen when they are subjected to trauma.

So from that, what can we do to try to prevent that trauma or to intervene? And from that, too, how do we try to make Wisconsin as a whole a “trauma informed care” culture — to understand where people are coming from, why they may have some of these problems in school and are unsuccessful, and why we have them incarcerated. Through a better understanding, we can hopefully mitigate some of those problems, so it’s prevention as well as understanding

Q: You are also now heading up a special project in the Wisconsin Assembly known as the “Red Tape Review.” What does that entail?

A: We have a very aggressive plan to have all the standing committees review all the 1,700-and-some chapters of administrative code to either update or expunge chapters that are no longer needed.

Q: What are you looking forward to as the chair of the MLC in 2016?

A: I think an organization such as this is key to helping legislators bring best practices to their state. And I also really love being able to showcase the local area [through the MLC Annual Meeting, which will be held July 17-20 in Milwaukee]. Almost every weekend throughout the summer, we have some type of ethnic festival: Italian Fest, Indian Summer Fest, Polish Fest. Every kind of ethnic group has some type of representation. So Milwaukee is quite a mosaic — not quite a melting pot, but quite a mosaic. ★



No room for failure

With more state resources and a new approach, Minnesota can improve county-administered system for protecting children

by Minnesota Sen. Kathy Sheran (sen.kathy.sheran@senate.mn)

There is nothing more gut-wrenching than looking at the face of a child with obvious and significant injury to his face and neck peering out of the newspaper with a shy, endearing smile. Anyone willing to look at the misery reflected in that image would wonder why our child-protection system failed to save his life.

This image, and the accompanying story about how teachers and neighbors sought intervention as many as 15 times, caused the governor of Minnesota to establish a task force to examine our child-protection system, which was a colossal failure for this child.

Was this incident an anomaly or a reflection of a systemic failure?

To be sure, Minnesota prides itself on its progressive attitude about government's role in the care and protection of vulnerable children and adults. Our citizens assume that children's welfare is a high priority. Such a stark visual confrontation of that shared belief generated outrage by the public, alarm by legislators, and concern from those who work in child protection.

The governor was criticized by many as overreacting to one incident, reported by one newspaper, by one reporter. But through his 2014 executive order, a task force with broad representation and expertise worked for many months studying Minnesota's child-protection system and recommending its reform.

This year, our state Legislature increased funding to improve our county-administered system and to help implement the task force's recommendations.

Two approaches to child protection

Prior to 2000, Minnesota's child-protection system employed a strict "forensic model": focus on fact-finding for evidence of neglect and abuse, in concert with law enforcement.

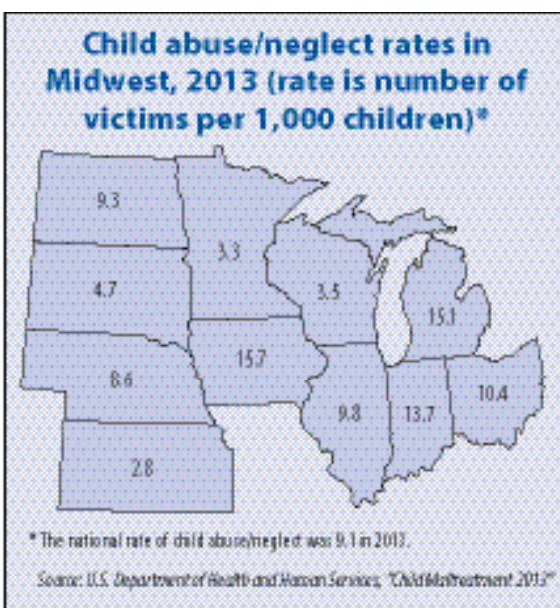
However, this approach was seen as threatening and undermining family engagement, while failing to consider the context in which neglect occurred. When factors such as poverty, alcoholism, or lack of understanding of growth and development were the problem, many thought legal intervention inappropriate. Also, the trauma experienced by a child being removed from the family caused many to seek an alternative approach.

More and more evidence showed, too, that some social-service supports might adequately restore child safety while strengthening families. This resulted in an alternative approach to reports of neglect and abuse: Seek to improve family engagement in order to create better outcomes, as measured by fewer and shorter times in out-of-home placement.

These changes gradually moved us away from viewing child welfare as the primary function of child protection. The focus became strengthening families, reducing social stressors and building family engagement.

As a result, a "family assessment" pathway (rather than the investigatory model) began being employed in response to some reports of child maltreatment.

Once a case was assigned to this alternative pathway, family participation was voluntary, not obligatory. With these cases, too, there was no



acknowledgement that neglect or abuse occurred. Protection workers could, and often did, reassign uncooperative families to the investigative approach. However, families that did not comply often did not receive further intervention.

Since past reports of maltreatment were not considered when investigating current ones, this cycle could be repeated often. Further, the standards for measuring child safety and welfare, screening decisions, criteria for pathway assignment, and the response to a family's failure to implement a service plan varied from county to county.

The original intent was to use the "family assessment" approach for minor concerns, not for situations in which sexual abuse was reported or for repetitious examples of abuse and neglect. But over time, use of this approach grew — ultimately reaching 70 percent of all cases and exceeding the figure for comparable states.

Our state found, too, that an alarming number of reports of maltreatment were never evaluated based on the initial screening. In part, this was due to restrictions on gathering information from the past, the need to seek corroboration from other mandated reporters, or failing to check with law enforcement about complaints of abuse and violence.

In different counties, there could also be great variation in the child-protection staff's workload, in risk analysis, and in dollars spent. A fundamental flaw was the lack of a baseline standard against which to assess a child's safety and well-being.

Safety of child will come first

In looking to improve our system, the task force made many recommendations, the first of which was to restore the child's best interest as the paramount concern when making decisions. While not dismissing the importance of engaging the family, this assertion clearly indicated that a child's safety should not be compromised.

After months of hearings, the resulting reform proposals focused on three areas: screening and transparency; family assessment and resources; and training and supervision.

To improve screening protocols, the task force

recommended expanding access to information, engaging law enforcement and county attorneys sooner in the process, and improving oversight.

The second set of recommendations narrowed the use of the family-assessment approach and clarified when an investigative approach was instead required (substantial child endangerment). The task force also suggested that decisions not be made in isolation, but instead be supported by county-level interdisciplinary screening teams.

Strong assessment, intervention urged

Long-term, our protection response might be better focused on strong assessment and intervention rather than prematurely assigning a case to one of the two approaches (family assessment or investigative). The task force proposed seeking outside consultation to consider this change and to improve coordination with other social-service systems, such as those involving mental health and chemical dependency.

Regarding training and supervision, the task force recommended developing competency standards for child-protection workers and instituting an academy to provide scenario-based training for staff and supervisors. It was also suggested that a certification process with competency-based training and continuing education standards be required for all working in this field.

As for resources provided for child protection, the task force discovered a significant reduction of \$41.8 million in annual funding from all sources of revenue between 2003 and 2014. Counties' increased reliance on property taxes to fill this gap likely explains the huge variation in their provision of protection services.

This year's state budget increased funding to counties by \$42 million for staffing and training and to integrate the task force's proposals. More resources will also go to improve state oversight, data collection and quality assurance, and a legislative task force will review the progress being made.

Most fundamental to this effort is a proposed improvement in transparency mechanisms, allowing the public to assess the work of our system and its impact on children's well-being. Without this transparency, the hope for credibility and trust that the system can and does protect children will not be restored. ★

Sen. Kathy Sheran, a Democrat from Mankato, was one of four legislators named to the 26-member Governor's Task Force on the Protection of Children.

Submissions welcome

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or tanderson@csg.org.

More than 500 people attend premier regional meeting for Midwest’s state, provincial legislators

Hundreds of state and provincial legislators from the Midwest traveled to North Dakota’s capital city this summer to take part in the premier event for the region’s policymakers.

The four-day Midwestern Legislative Conference Annual Meeting in Bismarck featured discussion of a wide range of policy issues, many of which are covered in this edition of *Stateline Midwest*. The MLC’s policy committees met on the first day of the conference (see pages 2 and 3).

Other session highlights included:

- a keynote session led by Anne-Marie Slaughter, president and CEO of the New America Foundation, who examined seven big trends that will reshape U.S. policy in areas such as education, health care and privacy (see page 6);
- a look at state fiscal trends and budget policy (see page 6);
- luncheon presentations by former NASA astronaut Buzz Aldrin and former U.S. Secret Service agent Clint Hill, as well as an afternoon talk by famed pollster John Zogby;
- expert-led roundtable discussions on juvenile justice reform (see page 7), law enforcement’s use of body cameras (see page 7) and state livestock regulations; and
- policy sessions on the future of state-federal



North Dakota Sen. Tim Flakoll, chair of the Midwestern Legislative Conference, welcomes fellow lawmakers during the opening session of this year’s MLC Annual Meeting. He led North Dakota’s planning efforts, which involved many legislators and numerous volunteers from the state’s Legislative Council.

energy policy (see page 1), government’s use of technology, the role of states in public health security, and how to help students better “leverage” their senior year of high school (see page 4).

The meeting concluded with a professional-development workshop on how state legislators can make the most of social-media tools such as Twitter and Facebook.

Words of praise from participants

“The MLC meeting is a great opportunity to learn about and listen to issues common to the Midwest and Canadian provinces, across many policy subjects.”

Michigan Rep. Amanda Price

“A great opportunity to network with colleagues from other Midwestern states — my favorite of the organizations for state legislators.”

Kansas Rep. Susan Concannon

On the final day of the event, the MLC approved eight policy resolutions (see page 4).

Next year’s MLC meeting will be held July 17-20 in Milwaukee. Wisconsin Rep. Joan Ballweg, incoming chair of the MLC, will lead the host state’s efforts (see page 8). Every year, the family-friendly event offers numerous activities for the children and adult guests of attendees.

Photos from the 2015 MLC Annual Meeting



Minnesota Sen. Sandi Pappas addresses her MLC colleagues.



Four leaders of the MLC at the group’s Annual Meeting this year in North Dakota (from left to right): North Dakota Sen. Tim Flakoll, chair; Iowa Sen. Janet Petersen, second vice chair; Ohio Sen. Cliff Hite; and Wisconsin Rep. Joan Ballweg, first vice chair. At the meeting, Sen. Hite was elected by his legislative peers to join the rotation of MLC officers starting in 2016.



Former NASA astronaut Buzz Aldrin talks to attendees about his historic career and his hopes for the future of space exploration.



Indiana Sen. Ed Charbonneau, Saskatchewan MLA Wayne Elhard, North Dakota Sen. Kyle Davison and South Dakota Rep. Jacqueline Sly take part in the MLC Executive Committee meeting.



Former U.S. Secret Service agent Clint Hill, whose luncheon presentation with Lisa McCubbin received high marks from MLC attendees, meets Manitoba MLC Jim Malloway after his talk.

The Council of State Governments was founded in 1933 as a national, nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference, an association of all legislators in 11 states: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin. The Canadian provinces of Alberta, Manitoba, Ontario and Saskatchewan are MLC affiliate members.

In North Dakota, Midwest's legislators take unique energy, agriculture tours

Visit to Bakken region highlights technological advances behind oil boom

The day before the start of the Midwestern Legislative Conference Annual Meeting, a group of the region's state leaders toured a part of North Dakota where an energy boom continues to transform not only the entire state, but also global oil supplies and markets.

The daylong visit to the Bakken region gave participants unique insights into the geology and technology behind hydraulic fracturing.

They explored well and fracturing sites, as well as facilities where the oil is loaded onto rail lines and where the region's natural gas is processed.

North Dakota Sens. Kelly Armstrong and Jessica Unruh served as hosts of the tour. The MLC delegation included 15 legislators from nine states and two Canadian provinces.

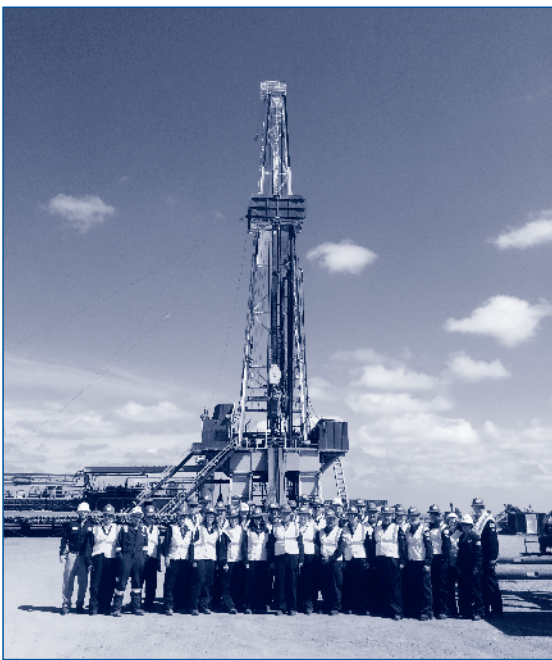
Groups from around the world have traveled to the Bakken region, where oil production has risen from 100,000 barrels a day to 1.2 million over the past decade and a half due to technological advances in horizontal drilling and fracturing.

That increase has helped greatly reduce the nation's reliance on foreign oil.

According to the U.S. Energy Information Administration, the share of total U.S. liquid fuels consumption met by net imports will fall from 60 percent in 2005 to an estimated 21 percent in 2016.

In other parts of the Midwest, major shale plays are either boosting production of natural gas or have the potential do so.

In response to this activity, states are adopting or considering new regulations on fracking opera-



The Midwestern Legislative Conference delegation is shown here in front of a drilling rig at a site near the North Dakota town of Tioga.

The MLC delegation included Illinois Rep. David Harris; Indiana Sen. Ed Charbonneau and Rep. Ed Clere; Iowa Sens. Wally Horn and Janet Petersen; Manitoba MLAs Wayne Ewasko and Cameron Friesen; Michigan Sen. Ken Horn; Nebraska Speaker Galen Hadley and Sens. Jerry Johnson, John Kuehn and Beau McCoy; Ohio Sen. Cliff Hite; Ontario MPP Norm Miller; and South Dakota Sen. Mike Vehle (photo: North Dakota Petroleum Council)

tions that aim to protect local landowners, public health and water resources.

On the July 11 tour, Lynn Helms, director of the North Dakota Department of Minerals, briefed participants on how his state has responded to the energy boom — from its rules on well construction and testing, to a requirement that operators have a plan in place to capture natural gas (and thus reduce flaring), to new standards that reduce the volatility of the crude oil being shipped from the Bakken by rail.

Production in this part of North Dakota is expected to continue for many years. The number of oil wells, industry leaders told the MLC delegation, could eventually rise from 12,800 to 70,000. North Dakota is currently the nation's second-largest producer of oil (behind only Texas).



Illinois Rep. David Harris and South Dakota Sen. Mike Vehle learn about the mix used to extract oil from the ground using the hydraulic fracturing process. (photo: North Dakota Petroleum Council)

MLC committee brings agriculture leaders to two ranches in Mandan



Legislators from nine U.S. states and two Canadian provinces visited ranches in Mandan, N.D., as part of an event organized by the Midwestern Legislative Conference Agriculture & Natural Resources Committee. They toured Berger's Bucking Bulls (four-time Rodeo Stock Contractor of the Year) and the Chad and Julie Ellingson Ranch. The daylong event gave legislators the chance to learn about breeding and training bulls for rodeo stock (at the Berger ranch) and the management of some of the Angus breeds' top seedstock bulls and cows (at the Ellingson ranch). The Bergers and the Ellingsons explained, too, how they have invested tens of thousands of dollars to ensure their operations exceed environmental rules.



CALENDAR

UPCOMING MIDWESTERN LEGISLATIVE CONFERENCE AND THE COUNCIL OF STATE GOVERNMENTS EVENTS

MIDWEST INTERSTATE PASSENGER RAIL COMMISSION MEETING

September 23-24, 2015
St. Paul, Minnesota

Contact: Laura Kliever (lkliever@csg.org)
630.925.1922
www.miprc.org

GREAT LAKES LEGISLATIVE CAUCUS MEETING

September 25-26, 2015
Buffalo, New York

Contact: Lisa Janairo (ljanaairo@csg.org)
920.458.5910
www.greatlakeslegislators.org

CSG NATIONAL CONFERENCE

December 10-13, 2015
Nashville, Tennessee

Contact: Kelley Arnold (karnold@csg.org)
800.800.1910
www.csg.org

71ST ANNUAL MEETING OF THE MIDWESTERN LEGISLATIVE CONFERENCE

July 17-20, 2016
Milwaukee, Wisconsin

Contact: Gail Meyer (gmeyer@csg.org)
630.925.1922
www.csgmidwest.org

22ND ANNUAL BOWHAY INSTITUTE FOR LEGISLATIVE LEADERSHIP DEVELOPMENT (BILLD)

August 12-16, 2016
Madison, Wisconsin

Contact: Laura Tomaka (ltomaka@csg.org)
630.925.1922
www.csgmidwest.org

HENRY TOLL FELLOWSHIP PROGRAM

August 26-31, 2016
Lexington, Kentucky

Contact: Kelley Arnold (karnold@csg.org)
800.800.1910
www.csg.org/LeadershipCenter/TollFellows.aspx

Iowa, already a leader in renewable energy, expands solar tax credit

Iowa, the nation’s leader in per-capita wind production, is seeking to diversify its renewable energy portfolio by expanding incentives for solar development.

Signed into law in June, HF 645 amends an existing tax credit that previously had been capped at \$4.5 million a year. The maximum has been raised to \$5 million. The legislative changes also will allow utilities to access this tax credit, as long as the capacity of their solar installations is smaller than 1.5 megawatts. Over the past two years, all of Iowa’s available solar tax credits have been used, and as of June, \$1.8 million for 2015 had been awarded.

In its national analysis of state policies, the research site Solar Power Rocks (which promotes laws and incentives to expand solar) gives Iowa an “A” for its targeted tax credits and ranks the state 23rd overall. Two other states in the Midwest rank higher:

- **Minnesota**, ranked eighth, for its renewable portfolio standards (which include a carve-out for solar) and property and sales tax exemptions; and
- **Wisconsin**, ranked 16th, for its tax rebate on solar power as well as property and sales tax exemptions.

Nebraska unveils first-of-its-kind re-employment plan

Starting this fall, most job seekers in **Nebraska** will have to participate in individual re-employment plans in order to remain eligible for unemployment benefits.

State officials say this new re-employment system is the first of its kind in the nation.

The state will provide one-on-one assistance to job seekers, based on an individual’s career objectives, skills and interests as well as trends in the local labor market. In addition to receiving help from Nebraska Department of Labor staff, participants will have access to NEworks, an online resource that provides tips on building résumés as well as customized job searches.

Nebraska’s new re-employment plan is being funded by a U.S. Department of Labor grant.

According to the *Lincoln Journal Star*, 12 additional “job coaches” will be hired across the state, and individuals could lose benefits if they fail to meet goals in their individualized plans.

Nebraska has the lowest unemployment rate in the nation — 2.5 percent in May. It and most other states provide up to 26 weeks in jobless benefits. Michigan and Kansas, however, set the maximum time period at 20 and 16 weeks, respectively, according to the Center on Budget and Policy Priorities.

Wisconsin law bans use of GPS on vehicles without owner consent

Under a new law that aims to protect privacy and the victims of harassment and stalking, **Wisconsin** legislators have placed new restrictions on the use of global positioning systems.

AB 19 makes it a crime to place a GPS device on a vehicle without the consent of its owner. A year ago, New York passed a similar law following the death of a woman who was killed by a former boyfriend; he used a GPS tracking device on her car.

Illinois and **Minnesota** already had such prohibitions in place. Those two states also enacted measures in 2014 allowing law enforcement to use GPS monitoring devices in domestic abuse cases (Illinois’ HB 3744 and Minnesota’s SB 2736).

Wisconsin’s GPS Privacy Act, signed into law in July, provides several exceptions: for law enforcement executing a warrant; lienholders pursuing a vehicle in order to repossess it; and parents tracking their minor children.

In addition, employers in Wisconsin can install GPS devices on their business-owned vehicles used by workers. In **Michigan**, a bill was introduced earlier this year (SB 8) to install these devices on state-owned vehicles.

Fade to black: Film incentives eliminated by Michigan legislators

Seven years after a tax credit was created to lure more film production and digital-media projects to **Michigan**, legislators have pulled the plug on the incentive program.

HB 4122 was signed into law in July. It prohibits the state from entering into any new tax-subsidy agreements with moviemakers.

Michigan’s incentive rate under the program was 25 percent; it applied to direct-production and eligible personnel expenditures.

According to *mlive.com*, state subsidies helped attract the production of major Hollywood movies. However, supporters of the repeal noted that the program cost the state \$300 million between 2008 and 2013, while the number of full-time jobs in this industry sector rose by only 100.

Close to 40 states offer incentives for film production, according to Film Production Capital, a tax-credit brokerage company. Only three of these states are in the Midwest: **Illinois**, **Minnesota** and **Ohio**. (Illinois and Ohio are thought to have the region’s strongest set of incentives.)

Michigan will continue to maintain a film office that assists movie producers and other production staff.